

Butte-Silver Bow Local Government Study Commission

Minutes of the Meeting

May 5, 2005

Butte-Silver Bow Courthouse, First Floor Conference Room

Meeting Date: May 5, 2005

Time: 5:30 p.m.

Place: Butte-Silver Bow County Courthouse, First Floor Conference Room

Bob Worley introduced the new Study Commission Secretary, Jennifer Rozinka.

Call to Order: Chairman Bob Worley brought the meeting to order at 5:30 p.m. and called roll with the following results:

Members Present: Dave Palmer, Ristene Hall, Meg Sharp, Cindi Shaw, Northey Tretheway, Bob Worley and Ron Rowling

Excused absences: Tony Bonney, Wayne Harper and Shag Miller

Others Present: Lori Maloney and Danette Harrington

Approval of Minutes: Bob Worley entertained the motion to approve the minutes. Meg Sharp moved that the minutes from the April 28, 2005 meeting be approved. Cindi Shaw seconded the motion, and the motion carried unanimously.

Comments from Ron Rowlings: Ron hoped everybody enjoyed the trip to Anaconda to attend the Study Commission meeting over there. He has confirmation from everyone on the list.

Citizen's Comments: None

Items Not Addressed on the Agenda: Bob Worley discussed the meeting in Anaconda. Five people from the Butte-Silver Bow Study Commission attended: Northey Tretheway, Dave Palmer, Bob Worley, Meg Sharp and Tony Bonney. The Study Commission members in Anaconda meet once a month. Bob Worley mentioned that Anaconda has some financial problems and are somewhere between \$800,000-\$1,000,000 in the hole on their budget. The Study Commission members from Anaconda discussed the Chief Executive and the Sheriff being appointed officials rather than elected.

Dave Palmer added that the reason they are looking into appointing versus elected is because they do not have Department Heads to provide expertise to the Chief Executive.

Northey Tretheway added that Anaconda's Study Commission had an exclusive meeting for public comment on several issues that are being entertained at this time. Northey commented that it might not be too early to get everyone's ideas out on the table that go in that same direction.

Bob Worley stated that the Study Commission members in Anaconda talked a lot about the fact that government today is more complex than it has been in the past. Bob Worley asked the Study Commission to think about a public hearing being held the first or second week of June, which will be discussed in further detail at the next meeting. Bob discussed his visit with Ken Weaver last week and a tentative schedule has been set for a phone conference on May 23, 2005 at 12 p.m. to discuss any questions or comments regarding the survey. Bob Worley will have the

phone conference confirmed on the 19th of May. Bob added that a good question for Ken Weaver is whether they should they run the election in the June primary, and if it passes, when would the items that they put into effect take effect? Would it be with the election in November or the first of the year? Lori Maloney added that the same question came up during the last Study Commission meeting because there were people on the ballot to be elected but it was also from the ballot to eliminate their offices. The clarification of this is that they would be allowed to complete their four-year term.

Guest Speakers: Wilma Puich, Jean Pentecost and Jed Hoopes

Wilma Puich, Disaster and Emergency Services Coordinator, started by explaining her position on the organizational chart as Emergency Manager and started her position in August 1, 1976. The Disaster and Emergency Service's mission is to continuously strive to achieve a total coordinated emergency management program with all partners in the face of evolving natural and human induced hazards, to ensure that all responses to emergencies and disasters are met with a coordinated response from a trained and equipped cadre of county personnel.

Wilma then discussed the guiding principle of building lasting partnerships through coordination, cooperation, collaboration, communication and commitment to excellence. She stated that over the 29 years that she has held her position as Emergency Manager, she has tried to adhere to that policy.

Wilma next discussed the coordination of roles between each department such as: Volunteer, Law Enforcement, Federal Government, Medical, Private Sector, State Government, School, Public Works, Fire and Local Government. Wilma gave an example of when she was advised by her District Field Representative to familiarize herself with what existed in the community. Wilma decided to visit St. James first because she knew that they had a Disaster Plan in place. Wilma got a copy of St. James's Disaster Plan and it showed that the Local Law Enforcement had the task of being in charge of security. A couple weeks later, Wilma got a copy of the Butte-Silver Bow (BSB) Law Enforcement Disaster Plan and it did not say that; nothing had been coordinated. Law Enforcement did not know that they were supposed to supply security. The hospital had never asked them to so Wilma's task was to coordinate the roles between each department. Wilma stated that Don Peoples had appointed a committee under his administration composed of about 20 people representing the community and it was their task to research and review, how many times every potential hazard could affect the community and what was the loss of life and the property damage. They came up with a list of hazards and determined who would be the Incident Commander for each one of those hazards. That was the basis for Wilma writing the Disaster Plan and ten or more counties throughout the state have adopted it.

Wilma explained the term Incident Command. By law, it's a term that her department has to use. Wilma explained if the term Incident Command is not used in a hazardous material spill, for example, the county would be liable for the cleanup rather than the responsible party.

Wilma went on to explain that she is hired and fired by the government of Butte-Silver Bow and that fifty percent of her budget comes from the federal government (FEMA and Homeland Security) which she bills on monthly basis and they reimburse Butte-Silver Bow for fifty percent of those eligible expenses. Wilma stated that she is also responsible for stating disaster and emergency services.

Wilma discussed her goal and that was to remain motivated about her responsibilities as DES Coordinator.

Wilma talked about BSB as being what is called an all-hazard county; the state is all-hazard. DES has to address all of the hazards on an equal basis. They have to train, equip, and prepare to respond and recover from any disastrous event and that is what the term all hazard means.

Wilma discussed the organizational structure, which is as follows: U.S. Department of Homeland Security, Federal Emergency Management Agency, Montana Disaster and Emergency Services and Butte-Silver Bow Disaster and Emergency Services.

Wilma talked about the budget comparisons. In 2001-2002 it was \$99,293, 2002-2003 it was \$101,720, 2003-2004 it was \$105,181 and 2004-2005 it was \$109,257. Wilma stated that her salary and her secretary's salary come out of the budget. However, 50% of that expense comes back. Wilma continued to mention that most of the budget, \$26,000, goes to Dunne Communications. Meg Sharp asked if any of the budget comes from the state. Wilma replied no, that it comes from a local general fund and if it is an eligible expense 50% could come back.

Northey Tretheway asked whom it was that Wilma reported to and she replied Paul Babb.

The next topic Wilma covered was the major accomplishments of her department. Wilma established and implemented the 9-1-1 System in May of 1979. Wilma mentioned that DES has also established, through resolution, the 9-1-1 Advisory Board for Butte-Silver Bow that is still up and functioning. Dave McPherson is the one who calls the meetings and sets the agenda. John Walsh, Jeff Miller, Wilma Puich and Ron Davis are leaders of that committee. Wilma stated that she was appointed by Governor Judy Martz to the State 9-1-1 Advisory Board. She has been re-appointed by Governor Brian Sweitzer for another two-year term. Wilma continued by stating that she was the first Certified Emergency Manager in Montana. DES was the first and only county to have all school districts utilizing the same Disaster Plan. Wilma stated that they are currently working on the catholic school system

Wilma went on to discuss a grant she has been working hard for with the help of Jean Pentecost. The grant is for \$250,000 and on May 18th a new communication van will be purchased with it. This van will allow DES to provide communications in the event of any disaster, such as, wild land fires, floods, earthquakes, etc., and will enable the dispatch center to focus primarily on their day-to-day tasks. Wilma discussed how DES has implemented, trained and managed a critical incident response team here in Butte-Silver Bow that is dispatched through the 9-1-1 Center. Wilma organized the Butte Fire Protection Association and members include BLM, DNRC, Jean Pentecost, DES, 9-1-1 and Law Enforcement. Wilma discussed the evacuation kit (purchased with grant money) that has been distributed to fourteen counties. The kits in this county are housed as follows: one in Wilma's office, two in the fire department, one in the fire training center and two in the Sheriff's office. Wilma discussed a four county communication consortium that she has organized. Anaconda/Deer Lodge, Beaverhead, Butte-Silver Bow and Granite. Wilma continued to explain that DES hired \$200,000 in federal engineering out of Virginia. Wilma stated that by the time this process is completed on May 11th, Butte-Silver Bow would have an implementation plan for communications that should take us through the next ten years.

Wilma talked about the daily activities from the handout. One of the activities Wilma mentioned was the Government's Building Preparedness Committee that Paul Babb has established and Wilma's responsibility with that committee is bomb threat and evacuation training for all government buildings. The county plan has to be updated every four years and has received an extension on it this year due to the involvement with LEPC (Local Emergency Planning Committee). Wilma mentioned that this committee has achieved major accomplishments.

Wilma discussed the current ordinance and charter as being a vague. Wilma asked if Paul Babb is absent when a disaster occurs, who is in charge? Bob Worley stated that in the absence of Paul Babb, he believed it was the President or the Head of Council. Wilma replied that it has to go three deep. Dave responded it is Chairman of Council, Chairman of Judiciary Committee and Chairman of Public Works. Wilma asked if this was spelled out in an ordinance and Dave stated that it was. Wilma asked if all the departments are spelled out and Dave stated that they are not. Wilma replied that was something that needed to be checked on.

Wilma talked about the grants she has received such as FY 03 they received \$204,835 and an additional war supplement for \$49,000. Wilma stated that a lot of money has been brought into this county. Dave asked if the grants, the fire service has received, are part of DES. Wilma replied they are not.

Bob Worley asked if FEMA grants are separate from Homeland Security grants. Bob stated that it looked like DES has received over half a million dollars in FY 03 and FY 04. Wilma stated that the FEMA fire grants are used only to equip the fire department for response and what DES has to do with their grants is tie it back to the strategy plan and state how it is going to enhance Disaster and Emergency Service's capability to respond to a Homeland Security event. Wilma stated that the one area where this office is truly lacking is the lack of support from the Chief Executive and the commissioners. Wilma stated that with the exception of Don Peoples and Jack Lynch there has been no interest in her job. Yet in the event of a disaster, they are the people in charge. They are the ones who are going to have to declare the disaster.

Northey Tretheway asked if the Health Officer or the Fire Chief made the determination for disasters. Wilma clarified that the only person who can declare a disaster is the Chief Executive.

Northey Tretheway asked Wilma about when she stated that the Chief Executive and the commissioners have not taken an interest, what does she see in the other counties about how they involve themselves in this process. Wilma replied that her hours are 8 a.m. to 5p.m., Monday through Friday and county commissioners work Wednesday night from 6 p.m. to 9p.m. There is no connection. Wilma stated that she couldn't get a commissioner to go to the LEPC meeting. Wilma stated that it would be nice to have full-time commissioners where everyone could interface on a daily base like other counties do with their commissioners.

Ristene Hall asked Wilma how many commissioners she thought we should have. Wilma replied five. Ristene Hall asked if there was a commissioner appointed to Wilma's Committee and Wilma replied yes, but he never comes.

Wilma stated that the state has what is called The State Emergency Response Commission and each county under that umbrella has to have a LEPC and that is that only way to get grant money. Bob asked how many people are on that committee right now. Wilma replied that it was just re-appointed last week by Paul Babb and there is about 20-25 people on it. Bob Worley asked if Wilma would get a list of those people to Ron.

Bob Worley asked if she worked in conjunction with Ham Operators. Wilma replied, yes, 100%. Bob wanted to point out that Ham operators set up their stations and radios at Homestake at Continental Divide and they can communicate with people clear to the East Coast, across the United States.

Cindy Shaw asked if there was any other personnel in her department that get paid other than Wilma and her secretary who works 15 hours a week. Wilma replied no. Cindy asked if she would be able to provide a copy of her budget. Wilma stated that she has no problem with that.

Bob Worley asked Wilma if she had a date in mind on when she was going to retire. Wilma stated that she does not. Bob asked if Wilma has talked to anyone in government about selecting a new person so that Wilma's expertise can be passed on to the new person. Wilma replied, that next week he could ask Rick Griffith about his feeling on it. Bob Worley asked Wilma if she would mind coming back to next weeks meeting since Rick Griffith would be present and Wilma stated that she would be happy to.

Dave Palmer inquired about the Chief Elected Official as being the only one who can declare an emergency and if that is spelled out in state law or where does that come from? Wilma replied that she did an exercise that Bob McCarthy participated in and had her counterpart from Great Falls play the role of herself because she was too busy running the exercise. They had an elected official's table with the 12 county commissioners and the Chief Executive. Then suddenly there was a major earthquake and right from the start they could not find 7 of the 12 commissioners. They could not get there to declare a disaster and State Law mandates two-thirds of the commissioners be present. Every county except for Butte-Silver Bow and Anaconda have three commissioners. The other question asked was what if something happens to the Chief Executive? Wilma stated that she could call Helena and get permission to declare the disaster, if something happened to the Chief Executive.

Dave followed up by stating that the reason for asking the question was that if the counties are going to appoint rather than elect a Chief Elected Official, then the title would no longer be the Chief Elected Official and it should be spelled out in the charter. Wilma was not able to answer his question but stated that it is worth looking at and would have an answer for him when she attends next weeks meeting.

Jean Pentecost, Engineer of Butte-Silver Bow's Water Division, began by discussing what their mission is and gave a short overview of what the Water Utility Division is actually comprised of. The mission of Butte-Silver Bow (BSB) Water Utility Division is to provide a safe reliable supply of water to consumers. Jean stated that as the 21st century begins the BSB water system faces challenges of aging, infrastructure, population, economic growth and new regulation.

Jean discussed the purpose of the Water Division, which is to evaluate the ability of its mission and determine the best way for BSB to maintain an adequate supply of good quality drinking water at a reasonable cost.

Jean talked about the Water Division being acquired in 1992. She brought a chart that showed the amount of money that is being invested in the Water Division. The chart showed up to the year 2004 and had close to \$35 million invested that year. Jean stated that they have another 800,000 through a NRD grant for the rehabilitation of the Basin Creek Reservoir. Jean stated that there was also one for 1.7 million for water distribution and \$1.5 million that has been awarded to replace a 2-1/2 million gallon water tank called a high service tank.

Dave asked Jean how much funding comes from the citizens of Butte. Jean stated that the larger portion of money was funded through a bond issue and stated that the Water Division is still paying on those bonds. It is estimated that those bonds will be paid off in 2010-2014. Other money comes from settlements such as the one from Dennis Washington that was \$4,000,000.

The majority of money comes from the NRD (Natural Resource Damage) program. Jean stated that the Water Division primarily relies on outside funding to do the capital improvements.

Jean talked about Butte-Silver Bow's three main sources of water: The Big Hole River, Moulton and Basin Creek. Butte's most critical source of water is The Big Hole River. The dam was constructed in 1899 and is approaching the end of its useful life. The water is pumped from the pump-house at Big Hole through 11 miles of 36" steel line up to the water treatment plant. In conjunction with that, the Water Division has the South Fork Reservoir and the water gravity flows from there through the water treatment plant also. Butte-Silver Bow's Water Division has water rights to 13.7 million gallons per day from the river. The yield from the reservoir is 2 million so BSB has a water treatment plant rated at 16 million gallons per day. Water is pumped from the water treatment plant and through 11 more miles of 36" steel pipe that is put into the Colorado tank where it enters the distribution system, it is further pumped by the Summit Valley pump station up to the Westside tank, which also enters into the distribution system. There is another pump station where water is pumped again up to a high service reservoir. This is a 2½ million gallon water reservoir that is going to be replaced this fall.

The second source is the Moulton reservoir North of Butte. It is about a 263 million gallon reservoir. The flow from the reservoir goes through about 7 miles of 16" line to the Moulton water treatment plant. This treatment plant is rated for 2½ million gallons but right now it run about 400,000 gallons since there is not enough precipitation in that area to run it full capacity. Jean stated it is about 37-47% full right now and she does not anticipate it getting much fuller. Due to this, they will maintain the low flows and it will basically serve the Walkerville area.

Last, is the Basin Creek reservoir, it has a capacity of 365 million gallons. They don't filter the water there but do treat it. It goes through about 8 miles of 20"-24" of steel pipe before it enters the distribution system in Butte. Once this water enters Butte, there is a real complex system of pressure zones. Butte has seven pressure zones, which regulate the pressure throughout the community. They see pressures from 40psi to 160 psi, which is very complex and to do business here you have to maintain pressure. The Water Division is also in charge of the operations and maintenance of the Silver Lake system. There is about 40 miles from the lake itself up to MRI where there is 35 miles of pipe, which range from 34"-54" pipe. BSB has water rights for 12 million gallons per day and that is designated for industrial use only.

Wilma Puich brought up the FEMA grant for \$240,000, which will be used to purchase a security system for the treatment facility. Jean stated that these places are isolated and their biggest threat is vandalism. The cameras will allow for more control over their system.

Bob Worley asked about the replacement of the high service reservoir this year. Jean stated that they have NRD money for \$30.5 million and it will not take place until later this fall. Bob also asked with all the miles of water lines in Butte and all of the water main replacement that has been done since 1997, when it is all through what percentage of the system is going to be replaced. Jean replied the rule of thumb is 1% per year. Bob then asked if things are done according to priority when replacing water main. Jean replied yes and that they have a database that tracks the leaks. Jean stated that the leaks this year are around 300 and it was 700 when they started. That is how they determine what streets need to be done. Another criteria they look at is the location such as high traffic areas.

Northey Tretheway asked how long it would take to replace all the water lines through NRD money and if she is planning on doing all the replacement within our district. Jean replied that NRD money specifies where they can renew water mains, which is anything above Front Street because that is where the aquifer is that's contaminated. Jean believed it would be a 15-year program.

Northey asked about having the rights to replace all the water lines in Butte with money from NRD, not just above Front Street because the aquifer is irreparably damaged forever and that we could use that water throughout most of Butte. Jean agreed and stated that it is a direction they are going to head towards. Jean stated that they have \$500,00 of their own money used for BSB crews to replace water main below Front Street. Jean discussed the dam that needs to be rehabilitated and the tank that needs to be replaced which are priorities. This year for the NRD grant, Jean has put in two years of water main renewal and a water master plan. The water master plan is an engineering firm that comes in and evaluates Butte-Silver Bow's whole system.

Northey Tretheway asked how many miles of distribution line there is. Jean replied that there is 1.1 million feet of distribution and transmission line. Northey asked how many feet are being replaced. Jean replied 17,000 ft. per year with NRD money and 10,000 ft with BSB crews, for a total of 27,000 ft. per year. Northey also asked what percentage of water is lost through leakage. Jean replied that they do not have a metering system in place and cannot meter how much water is consumed or lost through pipes. Jean stated that there was a guesstimate in 1996 of 35% lost through leakage.

Northey Tretheway asked how does the NRD and the grant money that is brought in factor into Butte-Silver Bow's rates and is there a capital recovery charge on that or is it just money that goes in for bonding? Jean replied that as far as she knew, no.

Northey Tretheway asked about Silver Lake and the 12 million gallons of water a day that can be used for industrial purposes. He asked if it could be used for maintenance of parks? Jean replied no. She stated that it would have to go through all the legal channels to do that. Jean stated that the restrictions and regulations are all stated in the settlements and spell out clearly where the water can be allotted.

Northey Tretheway asked how our rates compare to other cities in Montana. Jean replied that ours are the highest. Northey stated with all the grant money that is coming in, why is Butte-Silver Bow's costs higher than everyone else. Jean replied that the cost was set back in 1992 through bonding and the rates have not been touched since. Northey Tretheway asked if it was due to the water source, which is different from other cities that cause the cost to go up, by the fact that we have to pump water miles upon miles to get it here. Jean replied that does factor into it. Jean stated that what happened was the Anaconda Company did not care about giving water to the consumers all they wanted was water delivered for mining operations. The community was considered secondary so they did not invest any amount into the municipal system. BSB of catching up to do in comparison with other communities because they have invested throughout the years and kept up with their water treatment plants and distribution systems.

Northey Tretheway asked if some of that NRD money could go towards repayment of those bonds? Jean stated that she thought it would be a real stretch. Jean stated that the bonds will be paid off pretty quickly and what they are focusing on is acquiring big dollars for a water treatment plant. One problem is that the settlement is \$130 million dollars and all they are using is the interest off it, which is about 8 million a year that they are distributing.

Dave Palmer asked if Jean has a bypass on the Big Hole treatment plant to pump untreated water. Jean replied no, and that the pumps are right in the plant. Dave asked if the treatment portion could be shut off. Jean stated that they are being pushed with water conservation to put in meters and if meters are put in they will lose revenue.

Dave Palmer asked what size Butte could grow given the water supply we have. Jean stated that she really could not answer and stated at one time it was 100,000 people.

Ristene Hall changed the subject to the citizen's concerns about the waterline from Harrison Avenue to Continental Drive running through the country club area and that Mr. Cote was buying the pipe. Ristene brought this issue to Mr. Johnston and he told her it was a great deal for BSB since he is buying the pipe. Jean discussed how they needed to get water over to the East side and that there was pressure problems over there. Jean stated that they are currently working on a process of tying in lines like Continental Drive, Milky Way and Blacktail to get enough water to that area so they don't experience the pressure problems they have had in the past. Jean stated that this was a partnership between Mr. Cote and the Water Division.

Bob Worley asked from all the people that BSB supplies water to right now, what would the revenues be from that? Jean replied that the revenues have to match the expenditures. Jean stated that they have to maintain expenditure to revenue ratio of 1.25.

Dave Palmer asked why they don't have BSB crews do all the work due to the lower cost. Jean replied that they couldn't due to NRD. Jean stated that they had tried it one year and the money was pulled out. Jean stated that it has to be bid out. Jean continued to state that they do hire temporary crews in the summer to help with putting water main in.

Dave Palmer asked what Jean's feelings are in regard to the Water Company being broken away from Public Works. Jean replied that she does not see any economic benefits from doing that. The only accomplishment she could think of would be that Public Works would become smaller and that might make it more manageable.

Northey Tretheway asked how many employees the water company has. Jean replied about 25 people of which 12 run the plant.

Dave Palmer asked if the Moulton reservoir goes below Walkerville at all. Jean replied in a good year it does. Jean stated if there is a good flow going through the Moulton, they have an overflow which will go into the high service tanks so they will not have to pump the Big Hole water but they have not been able to do that for about a year now. Dave asked if Walkerville residents pay the same amount as Butte residents and Jean replied yes, exactly.

Meg Sharp was inquiring about the supply source and asked if there was an underground feed. Jean replied that it is a small drainage and in the master plan, Jean wants them to look into seeing what water rights are available, not only in the Moulton area, but also in Basin Creek. Meg wanted to know what the supply source was and Jean replied it is snow pack and drainage.

Dave Palmer asked who patches the leaks. Jean replied the water company does. Dave asked if they have been trained to do it properly and Jean replied that they patch 700 leaks a year and they should know what they are doing by now. Jean further replied that people do criticize about the way it is patched. Jean stated that people should realize when there is a leak; there is a lot of

water in that hole. When they put dirt into it, there is a lot of dirt voids that will cause it to sink no matter what they do. They cannot get under the asphalt to compact it. Dave asked if there was policy in the water department not to put blacktop on it. Jean replied that it depends on the location, such as a busy street where the dirt is beat out by the traffic and needs asphalt.

Dave Palmer asked if there is a need for better training of employees in BSB. Jean replied that we have the best in the state and her crew could give classes on how to fix leaks.

Bob Worley asked about water line replacement on a newly paved street. He stated he has seen it happen where the street is newly paved and then three weeks later, the Water Company is tearing up the new pavement in order to replace somebody's lead to their home. Bob asked if the Water Company encourages these people to replace their line or if the water company could insist these homeowners replace their lines. Jean stated that they do encourage it but cannot insist on it since there is no ordinance. Jean stated that the cost should be taken into consideration, especially with homes occupied by elderly people. Jean stated that if the homeowner's service line is so bad, they couldn't connect to them. They will not have water and will need to replace it.

Dave Palmer asked a follow-up question to the \$800 charge. Dave asked about the mains that varied in length such as some people needing 3 ft. and others needing 8 ft. and the cost \$800 for either length. Dave asked if this was fair. Jean replied yes, that it is an average cost called the long side of a short side of the street. The people on the long side are going to be the ones taking advantage of the \$800 and the people on the short side usually won't sign up for their program. They will have a private contractor come in and do it.

Bob Worley introduced the next guest speaker, ***Jed Hoopes with the Health Department and Community Decay Ordinance.***

Bob asked Jed if he would go through the process of a property that would need to be cleaned up under the Community Decay Program. Jed explained that calls are forwarded to him and then he investigates it to determine if it is a valid complaint. If it is, and it looks like it is a minor problem, he will leave a health note stating that the homeowner has 3-5 days to do the cleanup. If they don't, Jed stated that he is too busy this time of year and does not have time to go back and check it. However, if he has time he will drive by and check to see if it meets standards. If Jed gets another call, he will write them a letter or citation. Jed stated that there is new judge that will fine people, which helps when he leaves citations and people are paying more attention to them. Jed stated if a person doesn't show up to court or if they show up but don't cleanup the property, he/she can be taken to the council. Jed stated that he feels things will change due to the publicity and that if people don't do it, BSB will step in and clean it up.

Jed stated that Butte has a problem with low-income people, structures and litter. Jed stated that Helena and Bozeman don't have those problems because the property over there is worth something.

Jed stated that another person needs to be hired and because he is so busy, all he can do is a short-term fix. Jed stated that Butte needs the manpower to enforce the cleanup and until Butte gets caught up, and gets the low-income housing and neighborhoods cleaned up, it is going to be a continuous problem. When people come to Butte that is what they are going to see.

Meg Sharp asked about the Design Review Committee and their concerns about property within the URA. Meg stated there is another committee that is above that one and asked if Jed knew

what it was? She stated Mark Reavis is involved in it. Jed replied that there is the Citizen Preservation Revitalization and Historic Preservation.

Jed talked about an 80 year old lady living next to this house that is vacant and run down. Jed stated that kids and teenagers are going in doing drugs, having sex, burning fires, and so on. He stated there is no foundation, no wiring and needs to be torn down. However, because somebody drew this line around Butte and said all these building are historic, they can't be touched. The lady is terrified to live next to this house and it causes a loss in value to her home. Jed stated that somebody should step in and take that designation away from the town or Reavis.

Jed stated that back east they have development programs that go and wipe out old buildings and build new. Jed stated that Butte needs to build new and get rid of some the junk. Jed stated that if the people of Butte don't allow people to have that opportunity, we are going to invest next to dump that is boarded up that can't be torn down because it is historic.

Cindy Shaw asked if there should be a full-time Community Enrichment Cleanup Coordinator appointed. Cindy further asked if there should be a department developed to pull together all the different aspects of cleanup in Butte. One that would over see everything and make sure all the entities are taken care of. Jed stated that probably could be done but a lot of the Health Department would need to be involved because the Health Officer is the one that designates something as a health hazard. If a property is considered an imminent health hazard, the Health Officer can do what he wants, he can shut the place down since it is in State law.

Dave Palmer asked about the 80 year old lady who has this run down property next to her and if that wasn't considered a health hazard? Jed stated not if Reavis determines it to be historical property. Dave intervened that the Health Department does not have precedence over Reavis then. Jed replied that they do but when it comes before Council and they are saying if you do this... we are going to take your historic designation away. Jed stated they would hold that against the council. Reavis got highly involved and has now has a lot of pull. Dave Palmer asked if something happens to someone caused by a health hazard and the commission did not act on it, who would be liable. Jed replied, that BSB would be liable.

Meg Sharp commented that the tax deed time should be shortened so they can have more control. Jed agreed that is a problem.

Northey Tretheway asked how the dog problem is rated in Butte as it relates to Community Enrichment. Jed rated it as high. He stated that 50% of his complaints are litter problems created by dogs. Jed suggested that a summer kid be hired to go around and follow dogs without tags to the owner's house. The owners would then be fined. Jed stated that the problem is the owners not the dogs.

Bob Worley covered the letters, citations going before the Council, he believed the ordinance was written with the idea that once the council had made a decision on a bad piece of property, it was up to the owner to take the County to court. Jed stated they have 60 days.

Jed stated that the building department has all the ordinances and when the fire department goes to put out a fire in a building, they write what they see wrong with the building under John Harrington's building code violations. It is then forwarded to him and John writes for an abatement or nuisance to the County Attorneys office or property owner. However, there is a problem with the legislature saying you can't do it.

Jed stated that planning and zoning need the help and that zoning is also a big factor. Bob Worley stated that more people are needed like Jed to get the city cleaned up and that is why they have pushed for a Community Enrichment Coordinator to handle this.

Bob then thanked Jed for coming and gave an update on the survey.

Survey Updates: Dave Palmer had one comment and questioned Ken's decision about the phone survey. Dave thought that putting it into a Water Company bill was not an answer either because people would just throw it away. He thinks there would be a better response by calling people. Northey Tretheway pointed out that this is what Ken told them from the start. Northey stated that the Montana Standard did a survey on Butte and had a combination of mail and telephone.

Date for the Next Meeting and Guest Speakers: The next meeting will be May 12, 2005 at 5:30 p.m. Bob Worley asked that everyone keep a time in mind for a public hearing and will talk more about it next week. Bob discussed next week's guest speakers. For the 19th, Bob plans to invite J. R. Richardson and John Uggetti, Pat Burt and Dick Tamblyn from Newland and Company and D.J. O'Neil, the past commissioner member. For the 26th, he thought they would get Evan Barrett, Bill Penn with Economic Development and Karen Burn who is URA Development for BSB. Bob would also like to invite John Sesso.

Bob Worley discussed the letter from Bob McCarthy stating that the Study Commission has to take any decisions they make, regarding any changes made in the charter, back to the public for vote.

Adjourn: Chairman Bob Worley entertained a motion to adjourn. Dave Palmer made a motion to adjourn the meeting; Meg Sharp seconded the motion. The meeting was adjourned at approximately 8:10 p.m.